



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jacobsen, E.N. et al.

Examiner: Powers, F.

Application Serial No.: 10/615,501

Art Unit: 1626

Filed: July 7, 2003

Atty. Docket No.: HUV-020.06

Title: *Nucleophilic Kinetic Resolution of
Cyclic Substrates Using Silyl Azides*

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Mailing

I hereby certify that this "Information Disclosure Statement" is being deposited with the U. S. Postal Service as First Class Mail with sufficient postage on the date set forth below in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

May 19, 2004

By:

John Barretto

Date of Signature and Mail Deposit

INFORMATION DISCLOSURE STATEMENT

Dear Examiner Powers:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and publications are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed:

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office Action** on the merits, or before the mailing of a **first Office Action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or

- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or
- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Patent Group
FOLEY HOAG LLP
155 Seaport Boulevard
Boston, MA 02210

(617) 832-1000
(617) 832-7000 (FAX)

Date: May 19, 2004

Respectfully submitted,
FOLEY HOAG LLP

A handwritten signature in cursive script, reading "Dana Gordon".

Dana M. Gordon, Ph.D.
Registration No.: 44,719
Attorney for Applicants

IN AN APPLICATION

(Use several sheets if necessary)

MAY 21 2004

HUV-020.06

Applicant
Jacobsen, E.N., et al.

Filing Date
July 7, 2003

10/615,501

Group Art Unit
1626

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages Etc.)

	AQ	Aoi, Haruhiko, et al., "A Study of the Kinetic Resolution of DL-Propylene Oxide with Optically Active Co(I)(salen) Type Complexes", Bulletin of the Chemical Society of Japan, Vol. 48(6), 1897-1901 (1975)
	AR	Nugent, W.A., "Chiral Lewis Acid Catalysis. Enantioselective Addition of Azide to Meso Epoxides", J. Am. Chem. Soc., 1992, 114, 2768-2769
	AS	Takfichi, T., et al. "Asymmetric Cyclizations Of Some Chlorohydrins Catalyzed By Optically Active Cobalt (Salen) Type Complexes", Tetrahedron, 1980, Vol. 36, 3391-3398

EXAMINER

DATE CONSIDERED

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on May 19, 2004

Date



Signature

John Barretto

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Submission consisting of:

1. Information Disclosure Statement (3 pages);
2. Certificate of Mailing (1 page);
3. PTO 1449 (1 pages);
4. References for IDS (AA and AQ-AS); and
5. A return-receipt postcard.

Attorney Docket No.: HUV-020.06

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.